ORDINANCE NO. 4

SERIES 1973

AN ORDINANCE VACATING THE FOLLOWING STREETS AND DECLARING AN EMERGENCY: BIRCH STREET WEST OF SOUTH 17TH STREET, 115.7 FEET; SOUTH 20TH AVENUE SOUTH OF BIRCH STREET; BIRCH STREET BETWEEN SOUTH 20TH STREET AND SOUTH 21ST STREET; ALDER STREET BETWEEN SOUTH 20TH STREET AND SOUTH 21ST STREET FROM EVERETT THOREN'S SOUTHWEST CORNER WEST TO 21ST STREET; AND SOUTH 21ST STREET FROM MIDDLE BLOCK 3 AND SOUTHWEST CORNER OF H. A. THOMAS TRACT SOUTH 2½ BLOCKS TO CITY LIMITS FOR THE CITY OF ELGIN, OREGON, ACCORDING TO THE RECORDED PLAT THEREOF.

WHEREAS, the City Council of the City of Elgin, Oregon by Resolution No. 1, Series 1972, initiated vacation proceedings for the following streets:

No. 1

Birch Street west of south 17th Street, 115.7 feet also described as:

Beginning at the southeast corner of lot 4, block 7, THOMPSON'S ADDITION to the City of Elgin, Oregon, thence west 115.7 feet; thence south 60.0 feet to the northwest corner of lot 1, block 8 of said Thompson's Addition, thence east 115.5 feet to the northwest corner of said lot 1, block 8; thence north 60 feet to point of beginning,

No. 2

South 20th Avenue south of Birch Street also described as:

Beginning at the northwest corner of lot 2, block 8 of SOMMER'S ADDITION to the City of Elgin, Oregon, thence west 30.0 feet to the northeast corner of lot 1, block 9, of said Sommer's Addition; thence south 410.0 feet along the east side of said block 9; thence east 30.0 feet to the southwest corner of said block 8; thence north 410.0 feet to the point of beginning,

No. 3

Birch Street between south 20th Street and south 21st Street also described as:

Beginning at the southeast corner of lot 4, block 4 of SOMMER'S ADDITION to the City of Elgin, Oregon,

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thence west 420.0 feet along the south side of said block 4; thence south 30.0 feet to the northwest corner of block 9, Sommer's Addition to the City of Elgin, Oregon; thence east 410.0 feet along the north side of said block 9 to the northeast corner of said block 9 thence north 30.0 feet to the point of beginning,

No. 4

Alder Street between south 20th Street and south 21st Street from Everett Thoren's southwest corner west to 21st Street also described as:

Beginning at a point 105.0 feet west of the southeast corner of 10t 4, block 3 of SOMMER'S ADDITION to the City of Elgin, Oregon; thence west 315.0 feet to the southwest corner of said block 3; thence south 30.0 feet to the northwest corner of block 4, Sommer's Addition to the City of Elgin, Oregon; thence east 315.0 feet along the north side of said block 4; thence north 30.0 feet to the point of beginning,

No. 5

South 21st Street from middle block 3 and southwest corner of H. A. Thomas tract south 2½ blocks to City limits, also described as:

Beginning at the northwest corner of lot 3, block 3 of SOMMER'S ADDITION to the City of Elgin, Oregon; thence south 1085.0 feet to the southwest corner of block 9 of Sommer's Addition to the City of Elgin, Oregon; thence west 30.0 feet; thence north 1085.0 feet; thence east 30.0 feet to the point of beginning.

WHEREAS, due notice of hearing in connection with said vacation proceedings was given by posting and publishing such notice as required by statute and as shown by the affidavit of publication and the affidavit of posting hereto filed with the City Recorder, and the hour of 8:00 P.M. on the 19th day of April, 1973, in the City Hall at Elgin, Oregon was set for the time and place for said hearing, and all objections, remonstrances or claims for damages as a result of said proposed vacation were to be presented and filed with the City Recorder in writing prior thereto, and

WHEREAS, no valid objections have been entered or filed against said vacation, and

WHEREAS, such vacation will not substantially affect the market value of property in the vicinity thereof, and

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WHEREAS, in the opinion of the City Council of the City of Elgin, Oregon no one will be adversely affected by vacation of the streets above described, NOW THEREFORE,

THE CITY OF ELGIN, OREGON DOES ORDAIN AS FOLLOWS:

Section 1. That notice of the time and place of hearing of the proposed vacation of the following streets has been in accordance with the statute and Resolution No. 1, Series 1972.

Section 2. That owners of 2/3 of the area affected thereby have not made valid objections to said vacation as hereinabove described.

Section 3. That the proposed street vacation will not substantially affect the market value of the property abutting such streets to be vacated.

Section 4. That the owners of the abutting property have consented to such street vacation.

Section 5. That the following streets shall be, and hereby are, vacated:

Beginning at the southeast corner of lot 4, block 7, THOMPSON'S ADDITION to the City of Elgin, Oregon, thence west 115.7 feet; thence south 60.0 feet to the northwest corner of lot 1, block 8 of said Thompson's Addition, thence east 115.5 feet to the northwest corner of said lot 1, block 8; thence north 60 feet to point of beginning,

Beginning at the northwest corner of lot 2, block 8 of SOMMER'S ADDITION to the City of Elgin, Oregon, thence west 30.0 feet to the northeast corner of lot 1, block 9, of said Sommer's Addition; thence south 410.0 feet along the east side of said block 9; thence east 30.0 feet to the southwest corner of said block 8; thence north 410.0 feet to the point of beginning,

Beginning at the southeast corner of lot 4, block 4 of SOMMER'S ADDITION to the City of Elgin, Oregon, thence west 420.0 feet along the south side of said block 4; thence south 30.0 feet to the northwest corner of block 9, Sommer's Addition to the City of Elgin, Oregon; thence east 410.0 feet along the north side of said block 9 to the northeast corner of said block 9 thence north 30.0 feet to the point of beginning,

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Beginning at a point 105.0 feet west of the southeast corner of lot 4, block 3 of SOMMER'S ADDITION to the City of Elgin, Oregon; thence west 315.0 feet to the southwest corner of said block 3; thence south 30.0 feet to the northwest corner of block 4, Sommer's Addition to the City of Elgin, Oregon; thence east 315.0 feet along the north side of said block 4; thence north 30.0 feet to the point of beginning,

Beginning at the northwest corner of lot 3, block 3 of SOMMER'S ADDITION to the City of Elgin, Oregon; thence south 1085.0 feet to the southwest corner of block 9 of Sommer's Addition to the City of Elgin, Oregon; thence west 30.0 feet; thence north 1085.0 feet; thence east 30.0 feet to the point of beginning.

Section 6. Inasmuch as the preservation of the public health, safety and welfare of the citizens of the City of Elgin, Oregon, demand immediate adoption of this ordinance, an emergency is hereby declared to exist and this ordinance shall take affect immediately upon its passage and approval.

PASSED and ADOPTED this 19th day of June, 1973, by Five Council members voting therefore.

APPROVED this 19th day of June, 1973.

By: Milton Leighus

ATTEST:

Ron Scoubes
City Recorder

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